

**(CIRCUIT/CHANCERY) COURT OF TENNESSEE  
140 ADAMS AVENUE, MEMPHIS, TENNESSEE 38103  
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

**SUMMONS IN CIVIL ACTION**

Docket No. CT-005784-18

☒ Lawsuit  
☐ Divorce

Ad Damnum \$ \_\_\_\_\_

KAMERON WALKER

ARAMARK CAMPUS, LLC

VS

Plaintiff(s)

Defendant(s)

TO: (Name and Address of Defendant (One defendant per summons))

Aramark  
c/o CT Corporation System  
300 Montvue Road  
Knoxville, Tennessee 37919-5546

Method of Service:

- ☐ Certified Mail  
☐ Shelby County Sheriff  
☐ Commissioner of Insurance (\$)  
☐ Secretary of State (\$)  
☐ Other TN County Sheriff (\$)  
☒ Private Process Server  
☐ Other

(\$ Attach Required Fees

You are hereby summoned and required to defend a civil action by filing your answer with the Clerk of the Court and

serving a copy of your answer to the Complaint on Jamaal M. Walker

Plaintiff's

attorney, whose address is 1661 International Drive, Suite 400, Memphis, Tennessee 38120

telephone 901-295-4529

within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.

TEMIKA D. GIPSON, Clerk / DONNA RUSSELL, Clerk and Master

TESTED AND ISSUED

1/3/2019

By

[Signature]

D.C.

TO THE DEFENDANT:

**NOTICE:** Pursuant to Chapter 919 of the Public Acts of 1980, you are hereby given the following notice:

Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed. These include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

FOR AMERICANS WITH DISABILITIES ACT (ADA) ASSISTANCE ONLY, CALL (801) 222-2341

I, TEMIKA D. GIPSON / DONNA RUSSELL, Clerk of the Court, Shelby County, Tennessee, certify this to be a true and accurate copy as filed this

20

TEMIKA D. GIPSON, Clerk / DONNA RUSSELL, Clerk and Master

By: \_\_\_\_\_, D.C.

EXHIBIT

tabbles

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**RETURN OF SERVICE OF SUMMONS**

I HEREBY CERTIFY THAT I **HAVE** SERVED THE WITHIN SUMMONS:

By delivering on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ M. a copy of the summons  
and a copy of the Complaint to the following Defendant \_\_\_\_\_  
at \_\_\_\_\_

\_\_\_\_\_  
Signature of person accepting service

By: \_\_\_\_\_  
Sheriff or other authorized person to serve process

**RETURN OF NON-SERVICE OF SUMMONS**

I HEREBY CERTIFY THAT I **HAVE NOT** SERVED THE WITHIN SUMMONS:

To the named Defendant \_\_\_\_\_  
because \_\_\_\_\_ is (are) not to be found in this County after diligent search and inquiry for the following  
reason(s): \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Sheriff or other authorized person to serve process

**IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE  
FOR THE THIRTIETH JUDICIAL DISTRICT  
AT MEMPHIS**

**FILED**  
**JAN 03 2019**  
CIRCUIT COURT CLERK  
BY [Signature] D.C.

**KAMERON WALKER,**

**Plaintiff,**

**vs.**

**Docket No. CT-005784-18  
Division VIII**

**ARAMARK CAMPUS, LLC**

**Defendant.**

**JURY DEMANDED**

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**AMENDED COMPLAINT**

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COMES NOW Plaintiff, Kameron Walker, by and through counsel, hereby files this Complaint against Defendant, Aramark Campus, LLC for personal injuries and damages, as follows:

**PARTIES**

1. Plaintiff Kameron Walker is an adult resident of Memphis, Tennessee, residing at 7632 Chasewood Dr. Memphis, Tennessee 38125.

2. Upon information and belief, Defendant Aramark Campus, LLC is a Pennsylvania based corporation doing business in Tennessee and can be served via CT Corporation System at 300 Montvue Road, Knoxville, Tennessee 37919-5546.

**JURISDICTION AND VENUE**

3. This cause of action arises in tort out of personal injuries and damages incurred as a result of a negligent and or reckless food server in Memphis, Tennessee on or about April 4, 2018.

4. The incident that forms the basis of this suit occurred in Memphis, Tennessee, thus venue is proper in this county.

5. The incident that forms the basis of this suit occurred on April 4, 2018 thus this suit is timely filed.

6. This Court has *in personam* jurisdiction over the Defendant because the acts and omissions giving rise to this action were committed in whole or in part in the State of Tennessee against a resident of the State of Tennessee.

7. This Court has subject matter jurisdiction over this matter pursuant to TENN. CODE ANN. § 23-39-104.

#### **STATEMENT OF FACTS**

8. Plaintiff re-alleges and incorporates the allegations in all preceding paragraphs as if fully set forth herein.

9. Upon information and belief, at all times material hereto, including April 4, 2018, Defendant Aramark Campus, LLC acted by and through their agents, servants, workers, and/or employees, who were acting within the course and scope of their agency, employment, and/or authority and in furtherance of the defendant's interests.

10. On or about April 4, 2018, Plaintiff, Kameron Walker, was dining at the University of Memphis Cafeteria located at 3720 Alumni Ave, Memphis, TN 38152 with friends and classmates.

11. While dinning at the restaurant, Plaintiff, Kameron Walker was eating and noticed something sharp in his food and the object had cut the top of his mouth.

12. He pulled a sharp piece of glass out of his mouth, his mouth was bleeding, and he had swallowed pieces of glass.

13. He later passed glass in his stool.

14. The worker, which was an employee/agent of Defendant knew or should have known of the dangerous nature of glass being in the food because the worker knew that a light bulb burst over the food that was served to the students.

15. The worker served the food to the students in spite of knowing that the glass was in the food.

16. On the date and time mentioned above, Defendant had under its care and direction the supervision, control, and maintenance of the identified area and food and had the duty to keep it free from hazardous conditions and safe for those patronizing the cafeteria.

17. This incident was the result of the defendant's negligence and or recklessness and was due in no manner whatsoever to any act or failure on the part of the plaintiff.

18. Plaintiff Kameron Walker did not have an opportunity to avoid the incident, and as a direct and proximate result of the negligence, gross negligence, and/or recklessness of Defendant, he sustained personal injuries and other damages described herein.

#### **CAUSES OF ACTION**

##### **COUNT I - NEGLIGENCE**

19. Plaintiff re-alleges and incorporates the allegations in all preceding paragraphs as if fully set forth herein.

20. Plaintiff charges and alleges that Defendant, Aramark Campus, LLC, is guilty of the following acts and/or omissions of negligence, which were a direct and proximate cause of the Plaintiff's injuries and resulting damages:

- (a) Allowing the food to remain in an area where the light bulb burst.
- (b) Failing to make the conditions safe for those eating in the cafeteria.

- (c) Failing to maintain the food in a condition that would protect and safeguard those consuming the food;
- (d) Failing to have the food inspected at reasonable intervals to determine its condition;
- (e) Failing to warn persons eating in the cafeteria of the dangerous condition;
- (f) Disregarding the rights and safety of the plaintiff at the time he was eating the food served by Defendant;
- (g) Violating the codes and ordinances of the City of Memphis and the statutes of Tennessee pertaining to food preparation.
- (h) Otherwise failing to use due care under the circumstances, as well may be pointed out during the discovery and trial phases of this matter.

**COUNT II – GROSS NEGLIGENCE AND/OR RECKLESSNESS**

21. Plaintiff re-alleges and incorporates the allegations in all preceding paragraphs as if fully set forth herein.

22. Plaintiff charges and alleges that Defendant, Aramark Campus, LLC, is guilty of the following acts or omissions of gross negligence and or recklessness, which were a direct and proximate cause of the Plaintiff's injuries and resulting damages:

- (a) Failing to dispose of the food after the light bulb burst over it.
- (b) Serving the food to the students knowing that the light bulb burst over the food and the highly likelihood that glass particles were in the food.

**INJURIES AND DAMAGES**

23. Plaintiff re-alleges and incorporates the allegations in all preceding paragraphs as if fully set forth herein.

24. As a direct and proximate result of the above-described breaches of duties, violations of the common law, and state statutes by Defendant, Plaintiff Kameron Walker has suffered injuries and damages, including but not limited to:

- (a) serious and painful physical injuries,**
- (b) past, present, and future physical and emotional pain and suffering;**
- (c) past, present, and future mental anguish and emotional distress;**
- (d) temporary and permanent impairment and disability;**
- (e) has incurred reasonable and necessary medical expenses and will incur further expenses in the future;**
- (f) Medical treatment promulgated by Methodist Hospital in the amount of one thousand two hundred twenty-nine dollars and zero cents (\$1229.00), an itemized statement for which is attached hereto as "Exhibit A," and of which Plaintiff relies on the presumption of reasonableness and necessity pursuant to TENN. CODE ANN § 24-5-113(a);**
- (g) Medical treatment promulgated by Sound Physicians of Greater Memphis in the amount of six hundred, sixty- five dollars and zero cents (\$665.00), an itemized statement for which is attached hereto as "Exhibit B," and of which Plaintiff relies on the presumption of reasonableness and necessity pursuant to TENN. CODE ANN § 24-5-113(a);**
- (h) Medical treatment promulgated by Memphis Radiological in the amount of thirty-six dollars and zero cents (\$36.00), an itemized statement for which is attached hereto as "Exhibit C," and of which Plaintiff relies on the presumption of reasonableness and necessity pursuant to TENN. CODE ANN § 24-5-113(a);**
- (i) certain other reasonable and necessary healthcare expenses, prescription expenses, certain transportation expenses to and from healthcare providers, and other out-of-pocket expenses, the nature and amount of which yet to be determined;**
- (j) loss of quality and enjoyment of the normal pleasures of life, past, present, and future;**
- (k) inconvenience;**
- (l) past, present, and future lost wages;**
- (m) loss of future earning capacity; and**
- (n) other damages to be proven at trial.**

**PRAYER FOR RELIEF**

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff respectfully requests the following relief:

25. That Plaintiff's Jury Demand be granted;
26. For a judgment against the Defendant for damages in the amount of \$75,000.00 to compensate the Plaintiff for all injuries and damages, together with the costs of this suit;
27. For Punitive damages in the amount of \$1,000,000.00 for Defendant's reckless conduct;
28. For all general and special damages caused by the herein alleged conduct of Defendant;
29. Pre-judgment and Post-judgment interest; and
30. For all other relief to which the Plaintiff may be entitled under Tennessee law.
31. Plaintiff respectfully prays for damages as they may appear on the trial of this cause, reserving the right to amend this pleading to conform to the facts as they may develop, for cost and interest, and for all other general relief as the Court and jury deem just.

Respectfully submitted,

KAMERON WALKER, Plaintiff

BY: 

Jamaal M. Walker (TN#33764)

*Attorney for Plaintiff*

1661 International Drive, Suite 400

Memphis, Tennessee 38120

P: 901-295-4529

F: 888-587-3651

jwalker@wlawassociates.com



5/11/2018

EXHIBIT

A

## ITEMIZED BILL



Patient: KAMRON A WALKER

Account: T2300639

Admit Date: 04/04/2018

Disch Date: 04/04/2018

To: KAMRON A. WALKER

7632 Chagwood Dr  
Memphis, TN 38125

Date	Service	Description	Qty	Amount
4/04/2018	013568	BR LVL III VISIT INTERMED	1	927.00
4/04/2018	008457	ADOBOMEN I VIEW	1	302.00
4/04/2018	037636	TENN CARE ADJ	1	959.00
4/04/2018	000345	TENN CARE UHC PAYMENT	1	-270.00

Charges: \$1,229.00  
 Patient Responsibility: \$0.00  
 TennCare Discount/Charity: -\$270.00  
 Payments: \$0.00  
 Adjustments: \$0.00  
 Balance: \$0.00

**EXHIBIT****B**

REPRINT BY IVONAIB:COLL

**EMERGENCY PHYSICIAN STATEMENT**

SOUND PHY E M GREATER MEMPHIS PO BOX 748113 LOS ANGELES, CA 90074-8113

ACCOUNT NUMBER  
0072934460STATEMENT DATE  
7/05/18TAX I.D. NO.  
274481556

PATIENT NAME	DATE OF SERVICE	PLACE OF SERVICE	EMERGENCY PHYSICIAN
WALKER, KAMERON -	4/04/18	METHODIST GERMANTOWN HOSPITAL GERMANTOWN, TN	WILLIAM BASTNAGEL MD
			NURSE PRACTITIONER
			PATRICIA ZARAVAR NP
DATE OF SERVICE	CPT CODES	DESCRIPTION OF SERVICES/PROCEDURES	AMOUNT
4/04/18	99283	EMERGENCY EVALUATION & MANAGEMENT SERVICES	665.00
		TOTAL CHARGES	665.00

**TRANSACTIONS:**

4/10/18	Ins. Claim Mailed to: TENNCARE/UHC COMMUNITY PLAN	33.89-
4/23/18	Payment TENNCARE/UHC COMMUNITY PLAN	
4/23/18	Adjustment TENNCARE DISCOUNT	631.11-

**Payment Reminder - Please consider our pay online option when selecting your electronic payment method. Flexible Spending Accounts and Health Savings accounts may be used for all unpaid balances. You may also call 800-225-0953 for assistance with processing your payment. Thank You**

**BALANCE DUE**Pay online <https://epay.pdc4u.com/020034>

TO INSURE PROPER CREDIT, DETACH THIS PORTION AND RETURN WITH PAYMENT.

PLEASE WRITE YOUR ACCOUNT NUMBER ON YOUR CHECK.

SOUND PHY E M GREATER MEMPHIS  
PO BOX 748113  
LOS ANGELES, CA 90074-8113

ACCT NO. 0072934460 BAL DUE: .00  
PATIENT NAME: WALKER, KAMERON

MAKE CHECK PAYABLE TO:  
SOUND PHY E M GREATER MEMPHIS

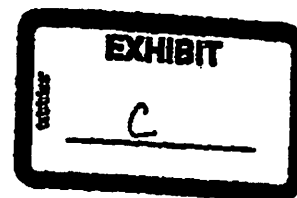
KAMERON WALKER  
7832 CHASE WOOD DR  
MEMPHIS, TN 38125-5725

SOUND PHY E M GREATER MEMPHIS  
PO BOX 748113  
LOS ANGELES, CA 90074-8113



**For inquiries call 1-800-225-0953**  
(En Espanol ~ 1-800-856-5838)

**Pay online <https://epay.pdc4u.com/020034>**



MEMPHIS RADIOLOGICAL, PC  
 DEPARTMENT #24  
 P O BOX 1000  
 MEMPHIS TN 38148  
 (800)475-6112

**Patient:**

Acct #: 659905  
 WALKER, KAMERON A  
 7632 CHASEWOOD DR  
 MEMPHIS, TN 38125

**Responsible party:**

WALKER, KAMERON A  
 7632 CHASEWOOD DR  
 MEMPHIS, TN 38125

SRVC. DATE	CPT	PROC. DESCRIPTION	CHARGE	BALANCE	PHYSICIAN
04/04/2018	74018	RADIOLOGIC EXAMINATION.	\$36.00	\$0.00	MOSEY, DAVIS

**Payment Information**

Insurance Payment: 04/22/2018 of \$6.68 Adjustment: \$29.32

TOTAL BALANCE: \$0.00  
 Print Date: 06/04/2018

Reproduced: Monday, June 4, 2018 03:42:28 PM (LBURGANY)